

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0085

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DONALD WEISWEAVER,

Defendant and Appellant.

FILED

APR 26 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

COMES NOW, Sarah Chase Rosario y Naber, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until June 11, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's first extension request for the opening brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 26<sup>th</sup> day of April, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER  
Appellate Defender Office  
139 N. Last Chance Gulch  
P.O. Box 200145  
Helena, MT 59620-0145

By: *Sarah Chase Rosario y Naber*

Sarah Chase Rosario y Naber  
Assistant Appellate Defender

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

STEVE BULLOCK  
Montana Attorney General  
MARK MATTIOLI  
Assistant Attorney General  
215 North Sanders  
P.O. Box 201401  
Helena, MT 59620-1401

GEORGE HENRY CORN  
Ravalli County Attorney  
Ravalli Co. Courthouse  
205 Bedford Street Suite C  
Hamilton, MT 59840

DONALD WEISWEAVER 3004063  
Montana State Prison  
700 Conley Lake Road  
Deer Lodge, MT 59722

DATED: 4/26/2010 Sarah L. Braden